

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LEONARD CHASE, JR.,

Petitioner,

v.

SCI ALBION, *et al.*,

Respondents.

No. 4:18-CV-00101

(Chief Judge Brann)

(Magistrate Judge Carlson)

ORDER

OCTOBER 29, 2021

Leonard Chase, Jr., a Pennsylvania state prisoner, filed this 28 U.S.C. § 2254 petition seeking to vacate his convictions and sentence based upon constitutional violations that allegedly occurred during his trial.¹ In September 2021, Magistrate Judge Martin C. Carlson issued a Report and Recommendation recommending that this Court deny the petition, as Chase’s claims are either procedurally defaulted or otherwise without merit.² Chase filed timely objections to this Report and Recommendation; those objections primarily relate to Chase’s contention that he was improperly convicted of numerous counts of robbery.³

“If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a de novo determination of those portions of the report

¹ Doc. 1.

² Doc. 17.

³ Doc. 18.

or specified proposed findings or recommendations to which objection is made.’”⁴ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁵ After reviewing the record, the Court finds no error in Magistrate Judge Carlson’s conclusion that Chase’s claims are either procedurally defaulted or without merit. Accordingly, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Martin C. Carlson’s Report and Recommendation (Doc. 17) is **ADOPTED**;
2. Chase’s 28 U.S.C. § 2254 petition (Doc. 1) is **DENIED**;
3. The Court declines to issue certificate of appealability;⁶ and
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge

⁴ *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

⁵ 28 U.S.C. § 636(b)(1); Local Rule 72.31.

⁶ *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (setting forth legal standard).